

NOV. 8, 2004 11:17AM

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PAGE

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WASHINGTON

NO. 1404 P. 30



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OCTOBER 16, 2003

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BARRY S. WILSON
PO BOX 80278
SAN DIEGO, CA 92138-0278



700048211A

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RECORDATION DATE: 10/14/2003

REEL/FRAME: 014048/0892
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BUECHLER, KENNETH F., PH.D.

DOC DATE: 10/10/2003

ASSIGNEE:

BIOSITE DIAGNOSTICS, INC.
11030 ROSELLE STREET
SUITE D
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 09613650
PATENT NUMBER:

FILING DATE: 07/11/2000
ISSUE DATE:

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
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Appendix A

NOV. 8. 2004 11:18AM
OCT. 14. 2003 5:03PM

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NO. 1404 P. 31

NO. 4826 P. 2

10/14/2003
700048211

Atty. Dkt. No. 071949-1307

FORM PTO-1595 (modified)

(Rev. 5-92)

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

Kenneth F. Buechler, Ph.D.

2. Name and address of receiving party(ies):

Biosite Diagnostics, Inc.
11030 Roselle Street
Suite D
San Diego, CA 92121

Additional conveying party(ies)

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

October 10, 2003

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

09/613,650

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Barry S. Wilson
FOLEY & LARDNER
P.O. Box 80278
San Diego, California 92138-0278

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

Check Enclosed

☒ Charge to deposit account

8. Deposit account number: 50-0872

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Barry S. Wilson

Barry Wilson

October 14, 2003

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 3

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DLMP243641.1



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NO. 1404 P. 32

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Atty. Dkt. No. 071949-1307

ASSIGNMENT AND AGREEMENT

WHEREAS, Kenneth F. Buechler, Ph.D. of PO Box 77, Rancho Santa Fe, CA 92067; (hereinafter referred to singly and collectively as "ASSIGNOR") have invented a certain invention entitled **DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED MOVEMENT OF REAGENTS WITHOUT MEMBRANES** (Atty. Dkt. No. 071949-1307) for which an application for United States Letters Patent was filed on July 11, 2000 as Application No. 09/613,650; and

WHEREAS, Biosite Diagnostics, Inc., a corporation duly organized and existing under the laws of the State of Delaware, and having its principal place of business at 11030 Roselle Street, Suite D, San Diego, CA 92121 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire interest therein;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions and all improvements and modifications thereof, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

ASSIGNOR HEREBY AGREES (a) to communicate to ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue

Atty. Dkt. No. 071949-1307

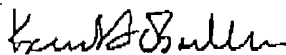
applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

ASSIGNOR HEREBY REPRESENTS AND WARRANTS that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

ASSIGNOR HEREBY GRANTS to the law firm of Foley & Lardner the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

ASSIGNOR UNDERSTANDS AND AGREES that the attorneys and agents of the law firm of Foley & Lardner do not personally represent ASSIGNOR or ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

Executed this 10 day of Oct, 2003

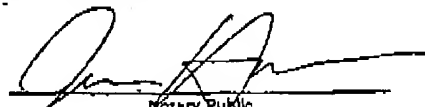


KENNETH F. BUECHLER, PH.D.

State of California
County of San Diego

On this 10 day of October, 2003, before me, a notary public in and for said county, appeared KENNETH F. BUECHLER, PH.D., who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.




Notary Public
My Commission Expires: 10/20/05

NOV. 8. 2004 11:19AM

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NO. 1404 P. 35
5,885,527



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FEBRUARY 26, 1996

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MARY S. CONSALVI
LYON & LYON
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES, CA 90071-2066



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RECORDATION DATE: 07/27/1995

REEL/FRAME: 7671/0380
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
BUECHLER, KENNETH F.

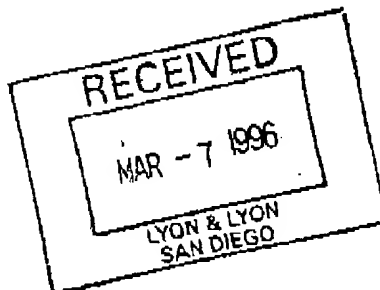
DOC DATE: 07/14/1995

ASSIGNEE:
BIOSITE DIAGNOSTICS, INC.
11030 ROSELLE STREET
SUITE D
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 08447891
PATENT NUMBER:

FILING DATE: 05/23/1995
ISSUE DATE:

REGINA COATES, EXAMINER
ASSIGNMENT DIVISION
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U.S. ---

Appendix B

213/225
PATENTASSIGNMENT

WHEREAS, I, KENNETH FRANCIS BUECHLER, a citizen of the United States of America, residing at 12523 Manifesto Place, San Diego, California 92071, County of San Diego, State of California, have invented a new and useful DIAGNOSTIC DEVICES AND APPARATUS FOR THE CONTROLLED MOVEMENT OF REAGENTS WITHOUT MEMBRANES for which I have filed application papers for United States Letters Patent thereon, filed May 23, 1995; and

WHEREAS, Biosite Diagnostics Incorporated, a Delaware Corporation, having its address and principal place of business at 11030 Roselle Street, Suite D, San Diego, California 92121, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor throughout the world.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I, the said KENNETH F. BUECHLER, do hereby sell, assign, transfer and set over unto the said Biosite Diagnostics Incorporated, its successors and assigns, the full and exclusive right, title and interest in and to the said invention, and in and to any and all Letters Patent to be granted and issued therefor, including all continuations,

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continuations-in-part and/or divisional applications, not only for, to and in the United States of America, its territories and possessions, but for, to and in all countries throughout the world, including all priority rights under the International Convention and any other applicable laws or treaties; and I hereby authorize and request the United States Commissioner of Patents and Trademarks to issue said Letters Patent to said Biosite Diagnostics Incorporated, its successors and assigns, in accordance with this Assignment.

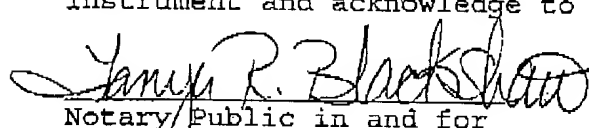
WITNESS MY HAND at San Diego, this 14th day of July, 1995.


KENNETH FRANCIS BUECHLER

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

COPY

On this 14 day of July, 1995, before me, the undersigned, a Notary Public for the State of California, personally appeared Kenneth Francis Buechler, personally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same.


Notary Public in and for
said County and State

